IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

JANE DOE,)
Plaintiff,)
v.) NO. 3:23-cv-00477
WILLIAM BOWERS MANAGEMENT,) JUDGE CAMPBELL
LLC d/b/a WIDE OPEN MUSIC, et al.,) MAGISTRATE JUDGE FRENSLEY
Defendants.)

ORDER

Pending before the Court is a motion filed by attorneys Jonathan Cole and Katelyn R. Dwyer of Baker Donelson Bearman Caldwell & Berkowitz, P.C. seeking leave to withdraw as counsel of record for Defendant Jimmie Allen because he "has been unable to comply with the terms of his engagement with [them]." (Doc. No. 64). Plaintiff opposes the motion, arguing she will be prejudiced if counsel is permitted to withdraw before the impending discovery deadline in February because Allen has outstanding and overdue discovery responses, including ESI from two cellphones, from September 2023. (Doc. No. 65). Allen's counsel filed a reply confirming Allen's outstanding and overdue discovery responses as well as their possession of a hard drive containing ESI from two of Allen's cell phones. (Doc. No. 66). Additionally, Allen's counsel state that Allen has not given them permission to produce the ESI at issue and that Allen has informed them "he has retained subsequent counsel who intend to appear as soon as possible[.]" (*Id.* at 1).

The motion (Doc. No. 64) is **TAKEN UNDER ADVISEMENT** pending a notice of appearance by substitute counsel. Allen's substitute counsel **SHALL** promptly coordinate with attorneys Jonathan Cole and Katelyn R. Dwyer on the transfer of Allen's file, including all ESI.

It is so **ORDERED**.

WILLIAM L. CAMPBELĹ, JR. UNITED STATES DISTRICT JUDGE